

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

SHANTAE M. JONES §
VS. § CIVIL ACTION NO. 1:07cv987
JODY R. UPTON §

MEMORANDUM OPINION AND ORDER

Plaintiff Shantae M. Jones, an inmate confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brings this lawsuit against Jody R. Upton.

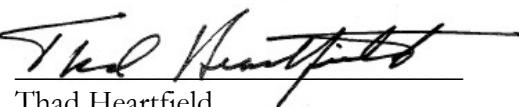
Discussion

On July 25, 2008, plaintiff filed a motion to voluntarily dismiss the above-styled action. Pursuant to Federal Rule of Civil Procedure 41(a), plaintiff is entitled to voluntarily dismiss his action prior to the service of adverse parties. As the defendants have not been served in this action, plaintiff's motion to dismiss should be granted.

O R D E R

For the foregoing reasons, plaintiff's motion to dismiss the action is hereby **GRANTED**. A final judgment will be entered dismissing this action pursuant to FED. R. CIV. P. 41(a).

SIGNED this the **29** day of **August, 2008**.



Thad Heartfield
United States District Judge